

EXHIBIT 182

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

Civil Action No. 4:20-cv-00957-SDJ

GOOGLE LLC,

Defendant.

_____/

The Zoom Videoconferenced/Video Recorded
Deposition of MICHAEL SCHWALBERT,
Commencing at 8:33 a.m. CT,
Friday, May 10, 2024,
Before Stenographer Shorthand Reporter,
Lori Ann Baldwin, CSR-5207, RPR, CRR, BA.

Veritext Job No. CS 6687342

1 right?

2 A. Correct.

3 Q. And Missouri is not seeking relief on behalf of state
4 agencies or any other state entities, right?

5 A. Correct. We're not seeking, you know, specifically,
6 relief for them. To the extent that there is some
7 sort of injunctive relief, obviously, that applies to,
8 to the state and country as a whole. But no, we're
9 not representing any state agency.

10 Q. Okay. And what is Missouri's understanding of how
11 many in-state advertisers and ad agencies use Google
12 Ad Tech products?

13 MR. LUCY: Object to the form.

14 A. I could not provide you with a, with a com -- with a
15 total count. I, I believe that that would be gathered
16 and, and made as part of the, the expert disclosure in
17 calculating that.

18 BY MR. ADES:

19 Q. Okay. Sitting here today, can you name any in-state
20 advertisers?

21 MR. LUCY: Object to the form.

22 A. The, for instance, the, it was disclosed that the -- I
23 mean, one would be the, the Missouri Department of
24 Tourism and the University of Missouri, the other
25 agencies that were involved, but I can't, I can't give

1 litigating it. And from that, from the universe of
2 factual information, that's what the, the expert
3 disclosures would, would provide.

4 Q. And do you know if any state agencies investigated the
5 alleged harm to advertisers in Missouri?

6 MR. LUCY: Object to the form.

7 A. I am not aware.

8 BY MR. ADES:

9 Q. Then how did Missouri determine there was harm to
10 in-state advertisers?

11 MR. LUCY: I object as to work product.

12 So Mr. Schwalbert, you can answer to the
13 extent that it doesn't divulge work product.

14 A. I wouldn't, I wouldn't be able to, to tell you that
15 without disclosing how, how we conducted our
16 investigation and litigation. I think it was core
17 work product.

18 BY MR. ADES:

19 Q. Okay. Now, turning to publishers, does Missouri have
20 an understanding of how many in-state publishers use
21 Google's Ad Tech's products?

22 MR. LUCY: Object to the form.

23 A. I could not give you a, I could not give you the
24 count.

25 BY MR. ADES:

1 Q. Can you name any in-state publishers sitting here
2 today?

3 MR. LUCY: Object to the form.

4 A. A, a specific one, no, I cannot.

5 BY MR. ADES:

6 Q. Okay. Are you aware of any reports, studies or
7 calculations of the alleged harm to publishers in
8 Missouri?

9 MR. LUCY: Object to work product.

10 A. Outside of what would be part of expert, expert
11 discovery, I'm not aware of.

12 BY MR. ADES:

13 Q. And what is Missouri's understanding of how many
14 Ad Tech providers are located in Missouri?

15 MR. LUCY: Object to the form.

16 A. Again, I don't have, I couldn't give you a, could give
17 you the same thing. I couldn't give you a count. And
18 I'm not aware of anything outside of experts, experts'
19 work that would provide that.

20 BY MR. ADES:

21 Q. And just to close the loop here, what is Missouri's
22 understanding of the types of in-state consumers
23 affected by the alleged conduct?

24 MR. LUCY: Object to the form.

25 A. I think that that would be, the types of consumers

1 would be the same types that were addressed by
2 Mr. Gordon in his, in his deposition.

3 BY MR. ADES:

4 Q. So, Missouri doesn't have a different view as to its
5 own in-state consumers? It would just be the, the
6 same for, for all states?

7 MR. LUCY: Object to the form.

8 A. The types of, like, maybe I'm not understanding your
9 question very well. Can you explain or rephrase?

10 BY MR. ADES:

11 Q. Sure. So, would this include all Google users, all
12 Internet users, all consumers of goods and services
13 located in Missouri?

14 A. I believe that those, I mean, it would include, I
15 believe this that's what Mr. Gordon testified to, it
16 would include those.

17 Q. Okay. And does Missouri have an understanding of the
18 number of in-state consumers affected by the alleged
19 conduct?

20 MR. LUCY: Object to the form.

21 A. Outside of what would be part of expert discovery, no,
22 not a raw count. I mean, no, I, I couldn't, I
23 couldn't tell you, I couldn't sit here and tell you a
24 precise number of what that would be, you know, total
25 number that would be.

CERTIFICATE

STATE OF MICHIGAN

COUNTY OF OAKLAND

LORI ANN BALDWIN, a Notary Public in and
for the above county and state, do hereby certify that
this remote deposition was taken before me at the time
and place hereinbefore set forth; that the witness was
by me first duly sworn to testify to the truth; that
this is a true, full and correct transcript of my
stenographic notes so taken to the best of my skill
and ability; and that I am not related, nor of counsel
to either party, nor interested in the event of this
cause.

Lori Baldwin

Lori Ann Baldwin, CSR-5207, RPR, CRR

Notary Public

Oakland County, Michigan

My commission expires: December 21, 2025